From: The IACP
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Subject: IACP"s The Lead: Administration To Announce Bump Stock Ban Soon.
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Greetings Jeremy Grimes

Thursday, November 29, 2018

POLICING & POLICY

Administration To Announce Bump Stock Ban Soon.

Citing a report on CNN's website, the Washington Examiner (11/28, Lim) says the Administration "is expected to announce in the coming days its highly anticipated federal rule banning bump stocks." Under the proposed rule, "the definition of 'machine gun' would be expanded to include bump stocks, effectively outlawing them." It would "require bump stock owners to destroy or surrender their devices within 90 days."

High Court Appears Ready To Back Owner Of Seized Land Rover In Case On Excessive Fines.

The New York Times (11/28, Liptak) reports that Indiana Solicitor General Thomas M. Fisher "faced unusually intense skepticism from the Supreme Court on Wednesday when he argued that the Constitution had nothing to say about civil forfeiture laws that allow states and localities to take and keep private property used to commit crimes." The case "concerned a Land Rover seized from a small-time drug offender." Fisher "defended that action and went further, saying local law enforcement officials were free to take all kinds of property used to commit even the most trivial offenses." Justice Stephen Breyer "asked whether officials could take the vehicles of drivers caught exceeding the speed limit by five miles per hour," and Fisher "said there would be no constitutional problem with a state law authorizing such seizures," an answer that "did not seem to satisfy the justices."

The Washington Post (11/28, Barnes) reports that the question "of whether the Constitution's prohibition on excessive fines applies to state and local governments seemed to strike the Supreme Court Wednesday as something of a constitutional no-brainer. 'Here we are in 2018 still litigating incorporation of the Bill of Rights,' said Justice Neil M. Gorsuch, referring to the judicial process of ensuring fundamental rights are protected against actions of the states," and after Fisher "hedged, Gorsuch seemed incredulous. 'Really? C'mon, general,' he said." The court "seemed more than ready to rule for Tyson Timbs of Marion, Ind., who had his $42,000 Land Rover seized after he was arrested for selling a couple hundred dollars worth of heroin." The ruling "would also reinforce efforts to limit civil forfeitures, which critics say empower localities and law enforcement to seize property of someone suspected of a crime as a revenue stream."

Florida Judge Rules State Lacks Uniformity With Red-Light Cameras.

The Miami Herald (11/28, Ovalle) reports, "In Aventura, you'll get a ticket if a traffic camera catches you turning on a red light at 15 miles per hour. In Key Biscayne, the threshold is 25 miles per hour. Over in West Miami, you'll get cited if you turn at only 10 miles per hour." According to the Herald, "That lack of uniformity from city to city violates state law, a Miami judge said this week, a ruling that potentially could lead to the dismissal of thousands of traffic citations and more legal battles over the validity of Florida's deeply unpopular red-light camera programs. 'How is a driver to know that the guidelines of the [red-light camera programs] vary from municipality to municipality?' Miami-Dade Judge Steven Leifman wrote in his 8-page order ruling against the city of Aventura and its red-light program." The attorney "who represented the driver in the case believes the judge's decision will be upheld in higher court, producing big ripple effects in the on-going controversy over red-light cameras. 'The ruling will affect every single one of the citations that are issued right now, or have been issued in the last couple years,' said Louis Arslanian, of Miami's Ticket Clinic firm."

CRIME & DRUGS

FBI: Body Found Is That Of Missing North Carolina Girl.

ABC World News Tonight (11/28, story 2, 1:50, Muir) reported on "the urgent hunt now for a killer in North Carolina tonight, linked to a three-week mystery," with "the FBI just today confirming a grim discovery, identifying the body of a young girl kidnapped in front of her home while waiting to go to school." ABC (Osunsami) added, "North Carolina investigators in rural Robeson county are now looking for a killer," as "after a three-week search, the body they found off this lonely road is this 13-year-old middle school student." Hania Aguilar "was kidnapped from the front yard of her home while waiting to go to school on November 5th," and police "believe she was forced into" a stolen SUV. Police "found the SUV abandoned three days later, and found the girl's body last night in a body of water about seven miles from her home."

The AP (11/29) reports, "Lumberton Police Chief Michael McNeill told reporters at a news conference that state crime lab tests indicate the body found late Tuesday is Hania Aguilar," and "while a final determination will be made with dental records, investigators believe the body is hers. 'This is the outcome that we all feared,' he said. 'We did not want to hear this. We wanted to bring Hania back home and bring her back home alive to our community. It hurts.'" The AP adds, "The cause of death hasn't been released, pending an autopsy," and "investigators would not describe the condition of the body." An FBI official "said he did not have any information as to whether Hania was killed where she was found or elsewhere."

The Raleigh (NC) News & Observer (11/28, Bennett) reports, "The FBI said it has no persons of interest 'at this time' and no arrests had been made in the case as of Wednesday afternoon." The FBI "said her body was 'not obvious' and the area it was found 'cannot be seen from the road.'" The News & Observer adds, "The FBI and police had asked the public for any surveillance video or photos from the area last week, and they had looked in the area by air and on foot previously."

The Robesonian (NC) (11/28, Hunter) reports that "law enforcement is saying they are more determined than ever to bring her killer to justice. 'The Lumberton Police Department and the FBI received notification late this afternoon from the North Carolina Medical Examiner's Office that a body found yesterday is believed to be Hania Aguilar. A final confirmation will be done with an official dental record comparison,' an FBI news release reads in part."

CBS News (11/28) reports that Chief McNeill "has previously said that a witness saw a man dressed in black with a yellow bandanna grab Hania in the Rosewood Mobile Home Park in Lumberton." Police "say the eighth grader had taken her aunt's keys to start the vehicle to prepare to leave for the bus stop," and that "the man forced her into the green Ford Expedition and drove off." The FBI "soon joined the search, offering reward money and transmitting her picture around the country."

NBC News (11/28, Helsel) reports that FBI Supervisory Senior Resident Agent Andy de la Rocha said "there was evidence at the scene as well as tips that have been called in and other evidence previously released. 'To include what we have found last evening, all of it is going to help us piece together what happened to Hania,' he said."

WTVD-TV Raleigh-Durham, NC (11/28) reports, "The FBI did not release any information about whether she may have been killed where the body was found or somewhere else. 'We need the public's help to determine when and how the body was placed on Wire Grass Road in Robeson County,' de la Rocha said. 'If you have surveillance cameras near Wire Grass Road, call the tip line at (910) 272-5871.'"

The Raleigh (NC) News & Observer (11/28, Duncan) reports, "In North Carolina, at least 47 children who went missing have not been found after a year, according to the National Center for Missing and Exploited Children. In South Carolina, that number is 34."

Also reporting on their websites are WFMY-TV Greensboro, NC (11/27, Hodgin), WFAE-FM Charlotte, NC (11/28, WFAE), WLOS-TV Asheville, NC (11/28, Caviness), and WCIV-TV Charleston, SC (11/28, Thomas, Brown).

Sixteen US Postal Workers Sentenced To Taking Bribes To Deliver Cocaine In Atlanta Area.

The Atlanta Journal-Constitution (11/28, Habersham) reports, "Sixteen U.S. Postal Services workers in metro Atlanta were sentenced to federal prison for accepting bribes, some as low as $250, to deliver cocaine, The U.S. Attorney for the Northern District of Georgia said in a news release Tuesday." Those convicted "each received sentences between three and nine years, federal officials said." The AJC adds, "Federal agents first learned of the crimes in 2015 while investigating a drug trafficking organization in Atlanta, according to the release." Drug traffickers "bribed the postal workers to deliver the drugs because they believed they were less likely to be caught by law enforcement officials." Federal agents "posed as drug traffickers looking for postal employees delivering packages of cocaine in exchange for money while law enforcement officials recorded the interactions."

FBI Task Force Seeks Information On Idaho Fugitive.

The Coeur d'Alene (ID) Press (11/28) reports, "The North Idaho Violent Crimes Task Force is seeking information leading to the apprehension of Jerome David Leen-Whitewater," who "was indicted on three counts of assault with a deadly weapon, assault resulting in serious bodily injury and burglary." Leen-Whitewater, 33, "is a Native American male" who "has recently resided in Priest River, but moved to Boise following an assault on the Coeur d'Alene Indian Reservation. He is suspected of being back in the Coeur d'Alene area."

Bail Revoked For Subject Of FBI Manhunt.

The York County (ME) Journal-Tribune (11/28, Wells) reports from Portland, Maine, "A local man wanted by the FBI who was captured outside a Springvale convenience store earlier this month will remain in federal custody until his trial on a federal drug charge." US Magistrate Judge John H. Rich "revoked bail for Joshua Patrick Weldon, 26, and ordered that he be detained in federal custody until his trial on a charge of conspiracy to distribute more than 40 grams of fentanyl." The case "had been scheduled for trial in December, but has been rescheduled for January," and jury selection "is set to begin Jan. 7, court documents show." The FBI "said Weldon failed to live up to the terms of his release when he didn't show up at a sober house on Oct. 24 or to an appointment at the U.S. Probation Office on Oct. 25."

Nineteen Arrested In New Jersey Gang Bust.

The Gloucester Township (NJ) Patch (11/28) reports from Camden, New Jersey, "A total of 19 people have been charged as part of a violent drug gang that sold a large amount of illegal drugs in South Jersey, U.S. Attorney Craig Carpenito announced on Wednesday," and "there were at least two fatal overdoses connected to the heroin sold as part of this conspiracy, authorities said." The Patch adds, "In all, at least 280 grams of cocaine base, at least one kilogram of heroin, and other quantities of cocaine and fentanyl were sold as part of the conspiracy, which operated out of Camden." According to the Patch, "Ten of those people were arrested as a part of a joint operation between federal and state law enforcement agencies, while eight remain at large, authorities said."

Man Who Bit UK Police Officer Is First Person Jailed Under New Law To Protect Emergency Workers.

The Telegraph (UK) (11/28) reports, "A landscape gardener who bit a police officer has become the first person to be jailed under new laws to protect emergency workers." Daniel Hilton, 27, "attacked Pc Campbell Ditty as he was placed under arrest for assaulting his mother at knifepoint during an episode of paranoid 'substance misuse psychosis' on November 24." The Telegraph adds, "Hilton, of Leigh, Greater Manchester, was charged with a common assault offence under the new Assaults on Emergency Workers (Offences) Act 2018 which came into force on November 13." On Tuesday "he pleaded guilty and was jailed for 12 weeks when he appeared before magistrates in Manchester." According to the Telegraph, "Under the new laws attackers convicted of the offence face a maximum of 12 months behind bars instead of six." The law "covers police, prison officers, custody officers, fire service personnel, search and rescue services and paramedics."

Officers Find Drugs, Weapons During Georgia Traffic Stop.

The Atlanta Journal-Constitution (11/28, Brasch) reports, "Two men were arrested early Tuesday after Cobb County police say officers found enough drugs and money and weapons in a speeding car to accuse the men as drug dealers." Darien Knight, 24, "was driving a 2010 Audi A4 at 91 mph on a 55 mph stretch of Dallas Highway just after midnight. Riding along with the Powder Springs man was 25-year-old Ian Copeland of Dallas." According to the Journal-Constitution, "Sgt. Wayne Delk, spokesman for Cobb police, said an officer saw 'some illegal narcotics' in Knight's lap during the traffic stop." Officers "kept looking and, according to a police warrant, allegedly found" various drugs and weapons.

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TECHNOLOGY

Report Finds Use Of Facial Recognition Technology In UK Needs "Considerable Investment."

BBC News Online (UK) (11/28) reports that "considerable investment" is needed "to get consistency from the police's use of facial recognition, according to a Cardiff University study." South Wales Police "has used automated facial recognition (AFR)

technology at several events in Cardiff since the Champions League final in June 2017." The study "found the accuracy of AFR has improved since its introduction, but does worsen in bad light or big crowds." The technology "compares scans of faces with online databases in order to identify possible people of interest to police." It "was first used in the city centre at the Champions League final in June 2017, but it led to more than 2,000 people being wrongly matched with possible criminals."

ALSO IN THE NEWS

Massachusetts' Effort To Track Hate Crime Is Commended.

In an editorial, the Newburyport (MA) Daily News (11/28) notes that "one year ago this month, Gov. Charlie Baker reconstituted the Hate Crimes Task Force, which was disbanded in 2003 when Gov. Mitt Romney vetoed $100,000 in state funds for the panel," and "the task force of representatives from law enforcement, universities, religious and advocacy groups held a series of 'listening sessions' around the state." The task force's work "led to a recommendation by Baker this week that all police departments in Massachusetts name at least one officer to serve as point person for hate crime reports," and Baker "also recommended those designated officers report any criminal act that appears to be motivated by bias to a new website being developed by the state Executive Office of Public Safety." The Daily News argues, "Such sharing among police and the public is commendable," as "one of the surest ways to address hate-motivated crimes is to drag them out into the open."

WEDNESDAY'S LEAD STORIES

- **Pennsylvania's Auditor General Issues Recommendations To Curb Gun Deaths.**
- **Body Found In Search For Missing North Carolina Girl.**
- **New York Police To Beef Up Security For Rockefeller Center Tree Lighting Ceremony.**
- **Cobb County, Georgia Sets Aside Additional Funds For New Forensic Lab.**

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